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**THIRD AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
509 ELM PLACE RESIDENCES
A CONDOMINIUM**

WHEREAS, pursuant to that certain Declaration of Covenants, Conditions and Restrictions for 509 Elm Place Residences recorded in the Condominium Records of Dallas County, Texas at Volume 99125, Page 264, and refiled in Volume 99151, Page 6418 of the Condominium Records of Dallas County, Texas and amended in Volume 2000213, Page 806, and Volume 2003090, Page 11570 of the Deed Records of Dallas County, Texas, (the "Declaration"), Declarant established a condominium regime pursuant to the Texas Uniform Condominium Act, Title VII, Chapter 82 of the Texas Property Code (Tex. Prop. Code Ann. §§ 82.001, et seq.) (the "Act"); and

WHEREAS, pursuant to Section 4.5 of the Declaration, the affairs of the Association (as defined in the Declaration) shall be managed by a Board of three (3) Directors; and

WHEREAS, pursuant to Section 10.1 (C) of the Declaration, the Association desires to amend the Declaration to allow the Board of Directors to increase the Board of Directors from three (3) Directors to as many as five (5) Directors; and

WHEREAS, Pursuant to Section 10.1(C) of the Declaration, amendments to the Declaration are subject to approval by sixty-seven percent (67%) of the Allocated Interests (as defined in the Declaration); and

WHEREAS, a meeting was held on February 10, 2004 wherein the Association approved this Third Amendment by the required sixty-seven percent (67%) of the Allocated Interests as follows:

AMENDMENT:

1. Amendment to Section 4.5. The first sentence of Section 4.5 is hereby amended and restated in its entirety to read as follows: "The affairs of the Association shall be managed by a Board of not less than three (3) and not more than five (5) Directors as shall be determined by the Board. The Board may elect to adopt staggered terms of service for certain of the Director positions so that all members of the Board do not have terms that expire at the same time."

DEC 13 2004

IN WITNESS WHEREOF, the Association has caused to be executed this 8th day of September 2004, this Third Amendment to Declaration of Covenants, Conditions and Restrictions for 509 Elm Place Residences.

ASSOCIATION:

509 ELM PLACE RESIDENCES
ASSOCIATION, INC.

By: 

Name: Jack Terrillion
Title: President

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Before me, the undersigned Notary Public, on this day personally appeared Jack Terrillion, known to me to be the President of 501 Elm Place Residences Association, Inc., and acknowledged to me that he was duly authorized to execute the foregoing in and for said corporation, for the purposes and consideration therein expressed, and in the capacity therein stated, on behalf of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 8th day of September, 2004.

My Commission expires:





Notary Public in and for the
State of Texas

09060 9/11/2004

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

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 *Cynthia Calhoun*
COUNTY CLERK
DALLAS CO., TEXAS

RECORDED
INDEXED
SERIALIZED
FILED